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S/N 10/087,222

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Michael Kloss et al. | Examiner: | Kristen Mullen |
| Serial No.: | 10/087,222 | Group Art Unit: | 3762 |
| Filed: | March 1, 2002 | Docket: | 279.287US1 |
| Title: | THERAPY OPTIMIZATION IN HEART FAILURE PATIENTS BASED ON MINUTE VENTILATION PATTERNS | | |

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
MS: Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Restriction Requirement dated September 29, 2004, Applicant elects, without traverse, to prosecute the invention of Species I. Applicant respectfully submits that claims 1 and 10 as originally filed read thereon. Applicant has amended claims 4, 5, 13, and 14 herein so that all of the pending claims now depend from either claim 1 or claim 10. Applicant reserves the right to reintroduce the amended claims as originally filed in one or more divisional applications.